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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 09/895,456 | 06/29/2001 | Anil Kumar Annadata | M-11830 US | 9005 |
| 33031 | 7590 | 06/30/2005 | EXAMINER | |
| CAMPBELL STEPHENSON ASCOLESE, LLP 4807 SPICEWOOD SPRINGS RD. BLDG. 4, SUITE 201 AUSTIN, TX 78759 | | | UBILES, MARIE C | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 2642 | |

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/895,456

Applicant(s)

ANNADATA ET AL.

Examiner

Marie C. Ubiles

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 28 March 2005.
2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-19, 21-23, 25-27 and 29-36 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) 1-9, 11-19, 21-23, 25-27 and 29-36 is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 5/4/05.
4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____

DETAILED ACTION

Response to Amendment

1. Applicant's amendment filed on March 28, 2005 has been entered. Claims 1, 11-12, 15, 21-23, 27 and 36 have been amended. Claims 10, 20, 24 and 28 have been cancelled. No claims have been added. Claims 1-9, 11-19, 21-23, 25-27 and 29-36 are still pending in this application, with claims 1, 15, 23 and 27 being independent.

Claim Rejections - 35 USC § 103

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

3. Claims 1-9, 11-19, 21-23, 25-27 and 29-31 and 34-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sikora et al. (US 6,449,646) in view of Broughton et al. (US 2003/0018702); as per the reasons set forth in the Office Action mailed on 11/22/04.

Applicant argues that Broughton does not teach "entering one or more escalation rule for the route". Examiner respectfully disagrees, as taught by Broughton a "voice call" are routed to immediate assistance and e-mails are routed to self-service; thus it is explicitly shown that one rule of escalation is entered for the route in order to escalate voice calls over emails.

As per claims 1, 15, 23 and 27; the newly introduced limitation "entering one or more escalation rules for the route" is rejected by the same teachings of Broughton et

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al. and reasons for combination set forth on pages 6-8 of the Office Action mailed on 11/22/04.

4. Claims 32-33 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sikora et al. (US 6,449,646) in view of Broughton et al. (US 2003/0018702), as applied to claims 1-9, 11-19, 21-23, 25-27 and 29-31 and 34-36 above; and further in view of Crowther et al. (EP 1113656).

The combination of Sikora et al. and Broughton et al. teaches the system as claimed except for "wherein the queuing agent is operable to determine the language required to handle each work item, and to assign each work item to one or more of the agents based on the language required" and "wherein the queuing engine is operable to determine the level of agent skill required to handle each work item, and to assign each work item to one or more of the one or more agents based on the level of skill required."

Crowther et al. teaches "An agent may be assigned to one or more skillsets and priority levels within such one or more skillsets. [...] For example, an agent may be trained to answer technical questions about a product line, trained to provide sales support, speak other languages, etc. In one embodiment, to be allocated to a specific skillset an agent must possess all skills required to handle calls in that skillset. It is also contemplated that the agent need not possess all skills in that particular skillset in order to be assigned or allocated to that particular skillset. Agents can be assigned to more than one skillsets. The agent is also assigned a priority level in each skillset so that a supervisor or manager of the call center can ensure that agents are most effectively

used, depending on their knowledge and level of training.” (See Detailed Description, Col. 2, lines 57-58 and Col. 3, lines 1-15).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Sikora's et al. system by assigning skillsets to an agent based on other languages spoken by said agent (i.e. wherein the queuing agent is operable to determine the language required to handle each work item, and to assign each work item to one or more of the agents based on the language required), based on agent's training for answering technical questions about a product line (i.e. wherein the queuing engine is operable to determine the level of agent skill required to handle each work item, and to assign each work item to one or more of the one or more agents based on the level of skill required); as per the teachings of Crowther et al.; thus in this manner a supervisor or manager of the call center can ensure that agents are most effectively used, depending on their knowledge and level of training.

Response to Arguments

5. Applicant's arguments filed March 28, 2005 have been fully considered but they are not persuasive.
6. Regarding Applicant's arguments that the term "multi-channel communication queuing system" should be considered as a whole, the Examiner respectfully disagree with Applicant's statement. The addition of the parenthesis between "multi-channel communication" and "queuing system" in the previous office action was not intended to break up the term in two, but to explain how Sikora's system was a queuing system

capable of queuing in a multi-channel environment (hence, specifying the use of a PSTN –for voice calls- and Internet –for e-mails).

Further, Applicant argues that the claimed list of routes cannot be equated with Sikora's email queues, call queues or other queues as "a route represent a specific way to process a work item". The Examiner respectfully disagrees, the email and call queues inherently specify a way in which the queue (or customer request) should be treated. In Sikora's system the "human agent 50" is provided with a computer terminal and a telephone; thus the agent will be able to receive an e-mail request and process the e-mail message (or work item) with a text message. On the other hand, if the request is directed to a call queue request, the "human operator 50" will be able to talk live with the customer.

In response to applicant's argument that Sikora and Broughton are systems cumulative with one another, the fact that applicant has recognized another advantage which would flow naturally from following the suggestion of the prior art cannot be the basis for patentability when the differences would otherwise be obvious. See *Ex parte Obiaya*, 227 USPQ 58, 60 (Bd. Pat. App. & Inter. 1985).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within

TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marie C. Ubiles whose telephone number is (571)272-7491. The examiner can normally be reached on 9am-6pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ahmad Matar can be reached on (571) 272-7488. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Marie C. Ubiles
June 21, 2005.


AHMAD MATAR
SUPERVISORY PATENT EXAMINER
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